



Application. No: 10/051,474
Filed: January 18, 2002
Inventor(s):
Sundeep Chandhoke; Nicolas Vazquez,
David W. Fuller and Christopher Cifra

Title: SYSTEM AND METHOD FOR GRAPHICALLY CREATING A SEQUENCE OF MOTION CONTROL OPERATIONS

Examiner: Pillai, Namitha
Group/Art Unit: 2173
Atty. Dkt. No: 5150-54200

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

Jeffrey C. Hood

9/10/2008
Date

Qc2
Signature

REQUEST FOR PRE-APPEAL BRIEF REVIEW

ATTN: BOX AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reason(s) stated below.

Applicant is in receipt of the Office Action of January 12, 2006 and the Advisory Action of March 15, 2006. Claims 1-3, 5-7, 10-13, 15-21, 23, 25, and 27-48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over “Compumotor, Motion Builder Start-Up Guide & Tutorial” (hereinafter “Compumotor”) and EP Publication No. 0510514 A1 to Oka et al. (hereinafter “Oka”). Applicant respectfully traverses this rejection.

Claim 1 recites in pertinent part, “automatically generating a graphical program implementing the specified sequence of motion control operations, wherein automatically generating the graphical program comprises automatically including a plurality of nodes in the graphical program and automatically generating a plurality of connections between the nodes, wherein the interconnected nodes visually indicate functionality of the graphical program”.

In the Office Action of January 12, 2006, the Examiner asserts that, “Oka discloses a similar invention including the automatic generation of a graphical program with an objective of alleviating user interaction for creating the graphical program.” Applicant respectfully disagrees and submits that the Examiner has mischaracterized Oka. Oka relates to analyzing a series of processing programs and automatically drawing a flow chart which graphically represents the processing outline (Col. 1, lines 1-14; Col. 2, lines 3-12). A flow chart is not at all the same as a graphical program. A graphical program is an executable program, whereas a flow chart is not an executable program at all, but is merely a human-readable diagram which describes a process, e.g., describes a process performed by an executable program. Oka does not teach automatically including a plurality of nodes in a graphical program or automatically generating a plurality of connections between the nodes in the graphical program, as recited in claim 1.

Applicant also respectfully disagrees with the Examiner’s assertion in the Office Action of January 12, 2006 that, “Compumotor discloses automatically generating a graphical program implementing the specified sequence of motion control operations.” As argued in detail in the response filed on February 27, 2006, Compumotor does not disclose automatically generating a graphical program as asserted by the Examiner, but rather teaches the user manually creating a graphical program.

The Examiner acknowledges that Compumotor does not teach automatically including a plurality of nodes in a graphical program or automatically generating a plurality of connections between the nodes, yet still seems to want to characterize the Compumotor reference as somehow teaching the automatic generation of a graphical program. However, the term “graphical program” refers to a program comprising a plurality of interconnected nodes or icons which visually indicate the functionality of the program. Applicant respectfully submits that Compumotor and Oka, taken either singly or in combination, simply do not teach automatically generating a graphical program.

Oka does not remedy the deficient teachings of Compumotor to make the subject matter of automatically generating a graphical program obvious, since Oka does not even relate to the field of

graphical programming or teach the concept of a graphical program, but rather, relates to analyzing a series of processing programs and automatically drawing a flow chart, as described above.

Thus, for at least the reasons given above, Applicant respectfully submits that the cited references do not teach the subject matter recited in claim 1, and thus, claim 1 and its dependent claims are patentably distinct over the cited art. Inasmuch as the other independent claims recite similar limitations regarding the automatic generation of a graphical program, Applicant also submits that the other independent claims, and those claims respectively dependent thereon, are also patentably distinct over the cited art.

Applicant further submits that Compumotor and Oka do not teach the subject matter recited in the present claims for several other reasons, as will be argued in detail in an Appeal Brief if necessary. However, Applicant believes that additional arguments are not necessary at this time, as the above arguments clearly demonstrate that the cited references do not form a case of *prima facie* obviousness for the present claims.

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested. If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-54200/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☒ Notice of Appeal

Respectfully submitted,



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Date: 4/10/2004 JCH/JLB